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Jc971 U.S. PTO

UTILITY PATENT APPLICATION TRANSMITTAL (for nonprovisional applications under 37 C.F.R. § 1.53(b))	Attorney  et No.	PHSC.70080
	Express Mail No.	EL375134485US

TO: Box Patent Application
Commissioner for Patents
Washington, D.C. 20231

Inventor(s): RICHARD MIHALIK

Title: AN ANTIBIOTIC/ANALGESIC FORMULATION AND A METHOD OF MAKING THIS FORMULATION

Enclosed are:

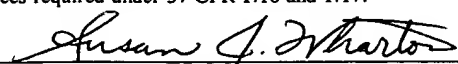
<input checked="" type="checkbox"/>	14 pages of specification including abstract
<input type="checkbox"/>	sheet(s) of drawings
<input checked="" type="checkbox"/>	an assignment of the invention to: Phoenix Scientific, Inc.
<input checked="" type="checkbox"/>	Declaration/Oath of Inventor(s): <input checked="" type="checkbox"/> Newly executed <input type="checkbox"/> Copied from a prior application (for contin/div)
<input type="checkbox"/>	Incorporation by Reference: the entire disclosure of the prior application, from which the copy or copies of the oath or declaration is supplied, is considered to be part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
<input checked="" type="checkbox"/>	a small entity statement is enclosed.
<input type="checkbox"/>	a small entity statement was filed in prior application; status still proper and desired.
<input type="checkbox"/>	Information Disclosure Statement/PTO-1449/Copies of IDS citations.
<input type="checkbox"/>	other:

If a Continuing Application: Check appropriate box, and supply the requisite information below:

<input type="checkbox"/> Continuation	<input type="checkbox"/> Divisional	<input type="checkbox"/> Continuation-in-Part (CIP)	of prior application No.
Prior application information:		Examiner:	Group Art Unit:

CLAIMS AS FILED				
	NUMBER FILED	NUMBER EXTRA	RATE	FEE
BASIC FEE			\$710	\$ 710
TOTAL CLAIMS	21 - 20 =	1	X \$ 18	\$ 18
INDEPENDENT CLAIMS	3 - 3 =	0	X \$ 80	\$ 0
MULTIPLE DEPENDENT CLAIM PRESENT			\$270	\$
* Number extra must be zero or larger				TOTAL \$728
If applicant has small entity status under 37 CFR 1.9 and 1.27, then divide total fee by 2, and enter amount here.				SMALL ENTITY TOTAL \$364

<input checked="" type="checkbox"/>	A check in the amount of \$364.00 to cover the filing fee is enclosed.
<input checked="" type="checkbox"/>	Commissioner is hereby authorized to charge/credit Deposit Acct. No. 19-2112 as described below. Enclosed is a duplicate of this sheet.
<input type="checkbox"/>	Charge the amount of \$ _____ as filing fee.
<input checked="" type="checkbox"/>	Credit any overpayment.
<input checked="" type="checkbox"/>	Charge any additional filing fees required under 37 CFR 1.16 and 1.17.


Signature
Date 11/27/00

Correspondence Address: →

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Richard Mihalik)	Attorney Docket No. PHSC.70080
)	
AN ANTIBIOTIC/ANALGESIC)	
FORMULATION AND A METHOD OF)	
MAKING THIS FORMULATION)	

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) and 1.27(c)) SMALL BUSINESS CONCERN**

I hereby declare that I am an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Concern:	Phoenix Scientific, Inc.
Address of Concern:	3915 South 48th Street Terrace St. Joseph, Missouri 64506-0457

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled AN ANTIBIOTIC/ANALGESIC FORMULATION AND A METHOD OF MAKING THIS FORMULATION by inventor Richard Mihalik described in the specification filed herewith.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Name: _____

Address: _____

☐ individual ☐ small business concern
☐ nonprofit organization

Name: _____

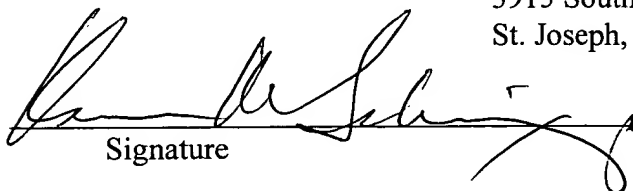
Address: _____

☐ individual ☐ small business concern
☐ nonprofit organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: Kevin M. Schinze
Title of Person Other than Owner: President/CEO
Address of Person Signing: Phoenix Scientific, Inc.
3915 South 48th Street Terrace
St. Joseph, Missouri 64506-0457

 _____
Signature Date 11/27/2000